

## Petition by Entrepreneur to Remove Conditions

### Purpose of This Form.

This form is for a conditional permanent resident who obtained such status through entrepreneurship to remove the conditions on his or her residence.

### Who May File.

If you were granted conditional permanent resident status through entrepreneurship, use this form to petition for the removal of those conditions. You may include your conditional permanent resident spouse and children in your petition, or they may file separately subsequent to your petition. If filing subsequently, attach a notice for the principal's petition.

If you obtained conditional permanent resident status through your entrepreneur spouse or parent and your spouse or parent has died, you may use this form to petition for removal of conditions.

### General Filing Instructions.

Please answer all questions by typing or clearly printing in black ink. Indicate that an item is not applicable with "N/A." If an answer is "none," write "none." If you need extra space to answer any item, attach a sheet of paper with your name and your alien registration number (A#), and indicate the number of the item to which the answer refers. You must file your petition with the required initial evidence. Your petition must be properly signed and accompanied by the correct fee. If you are under 14 years of age, your parent or guardian may sign the petition in your behalf.

**Translations.** Any foreign language document must be accompanied by a full English translation which the translator has certified as complete and correct, and by the translator's certification that he or she is competent to translate the foreign language into English.

**Copies.** If these Instructions state that a copy of a document may be filed with this petition, and you choose to send us the original, we may keep that original for our records.

### Initial Evidence.

**Alien Registration Card.** You must file your petition with a copy of your permanent resident card and a copy of the permanent resident card of your conditional permanent resident spouse and any of your conditional permanent resident children you are including in your petition.

**Evidence of the Commercial Enterprise.** Submit the following types of evidence with your petition. (Please label each type of evidence.)

- Evidence that you established a commercial enterprise. Such evidence includes, but is not limited to, federal tax returns;
- Evidence that you invested or were actively in the process of investing the amount of capital required for the location of your enterprise. Such evidence includes, but is not limited to, an audited financial statement; and

- Evidence that you sustained your enterprise and your investment in it throughout your period of conditional permanent residence. Examples of such evidence are:
  - invoices and receipts;
  - bank statements;
  - contracts;
  - business licenses; and
  - federal or state income tax returns or quarterly tax statements.
- Evidence of the number of full-time employees at the beginning of the investment and at present. Such evidence includes; but is not limited to:
  - payroll records;
  - relevant tax documents; and
  - I-9 Forms.

If you are filing as a spouse or child whose entrepreneur spouse or parent has died, submit the following with your petition:

- your spouse's alien registration card;
- your spouse's death certificate; and
- evidence that the conditions set forth above in "Evidence of the Commercial Enterprise" have been met.

### When to File.

You must file this petition during the 90 days immediately before the second anniversary of the date you were accorded conditional permanent resident status. This is the date your conditional permanent residence expires.

### Effect of Filing.

Filing this petition extends your conditional permanent residence for six months. You will receive a filing receipt which you should carry with your permanent resident card (Form I-551). If you travel outside the United States during this period, you may present your card and the filing receipt to be readmitted.

### Effect of Not Filing.

If this petition is not filed, you will automatically lose your permanent resident status as of the second anniversary of the date on which you were granted this status. You will then become removable from the United States. If your failure to file was for good cause and due to extenuating circumstances, you may file your petition late with a written explanation and request that INS excuse the late filing.

### Where to File.

If the new commercial enterprise is located, or will principally be doing business in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Mississippi, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New Mexico, New York, North Carolina, South Carolina, Oklahoma, Pennsylvania, Puerto Rico, Rhode Island, Tennessee, Texas, Vermont, U.S. Virgin Islands, Virginia or West Virginia, mail the petition to:

**USINS Texas Service Center**  
**P.O. Box 852135**  
**Mesquite, TX 75185-2135**

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If the new commercial enterprise is located, or will principally be doing business in Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin or Wyoming, mail the petition to:

**USINS California Service Center  
P.O. Box 10526  
Laguna Niguel, CA 92607-0526**

#### **Fee.**

The fee for filing this petition is \$395.00. The fee must be submitted in the exact amount. It cannot be refunded. DO NOT MAIL CASH.

All checks and money orders must be drawn on a bank or other institution located in the United States and must be payable in United States currency. The check or money order should be made payable to the Immigration and Naturalization Service, except that:

- if you live in Guam and are filing this petition in Guam, make your check or money order payable to the "Treasurer, Guam."
- if you are living in the Virgin Islands and are filing this application in the Virgin Islands, make your check or money order payable to the "Commissioner of Finance of the Virgin Islands."

Checks are accepted subject to collection. An uncollected check will render the application and any document issued invalid. A charge of \$30.00 will be imposed if a check in payment of a fee is not honored by the bank on which it is drawn.

#### **Processing Information.**

##### ***Acceptance.***

Any petition that is not signed or accompanied by the correct fee will be rejected with a notice that the petition is deficient. You may correct the deficiency and resubmit the petition. A petition is not considered properly filed until accepted by the Service.

##### ***Initial processing.***

Once a petition has been accepted, it will be checked for completeness, including submission of the required initial evidence. If you do not completely fill out the form, or file it without required initial evidence, you will not establish a basis for eligibility, and we may deny your petition.

##### ***Requests for more information or interview.***

We may request more information or evidence or we may request that you appear at an INS office for an interview. We may also request that you submit the originals of any copy. We will return these originals when they are no longer required.

#### ***Decision.***

You will be advised in writing of the decision on your petition.

#### ***Penalties.***

If you knowingly and willfully falsify or concede a material fact or submit a false document with this request, we will deny the benefit you are seeking, and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

#### ***Privacy Act Notice.***

We ask for the information on this form and associated evidence to determine if you have established eligibility for the immigration benefit you are seeking. Our legal right to ask for this information is In 8 USC 1184, 1255 and 1258. Failure to provide this information and any requested evidence may delay a final decision or result in denial of your request.

All the information provided on this form, including addresses, is protected by the Privacy Act and the Freedom of Information Act. This information may be released to another government agency. However, the information will not be released in any form whatsoever to a third party who requests it without a court order or without your written consent, or in the case of a child, the written consent of the parent or legal guardian who filed the form on the child's behalf.

#### ***Paperwork Reduction Act Notice.***

A person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood and which impose the least possible burden on you to provide us with information. Often this is difficult because some immigration laws are very complex. The estimated average time to complete and file this application is as follows: (1) 15 minutes to learn about the law and form; (2) 15 minutes to complete the form; and (3) 35 minutes to assemble and file the petition; for a total estimated average of 1 hour and 5 minutes per petition. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Immigration and Naturalization Service, HQPDI, 425 I Street, N.W., Room 4034 Washington, DC 20536; OMB No. 1115-0190. **DO NOT MAIL YOUR COMPLETED APPLICATION TO THIS ADDRESS.**

**Petition by Entrepreneur to Remove Conditions****START HERE - Please Type or Print**

FOR INS USE

**Part 1. Information about you.**

|                     |                   |                |
|---------------------|-------------------|----------------|
| Family Name         | Given             | Middle Initial |
| Address -           |                   |                |
| Street Number and   |                   | Apt. #         |
| City                | State or Province |                |
| Country             | ZIP/Postal Code   |                |
| Date of (Mo/Day/Yr) | Country of Birth  |                |
| Social Security #   | A #               |                |
| Form I-526 Receipt  |                   |                |

Since becoming a conditional permanent resident, have you ever been arrested, cited, charged, indicted, convicted, fined or imprisoned for breaking or violating any law or ordinance (excluding traffic regulations), or committed any crime for which you were not arrested?

☐ Yes ☐ No
**Part 2. Basis for petition.** (Check one)

- a. ☐ My conditional permanent residence is based on an investment in a commercial enterprise.
- b. ☐ I am a conditional permanent resident spouse or child of an entrepreneur, and I am unable to be included in a Petition by Entrepreneur to Remove Conditions (Form I-829) filed by my conditional resident spouse or parent.
- c. ☐ I am a conditional permanent resident spouse or child of an entrepreneur who is deceased.

|  |         |
|--|---------|
| Returned                                       | Receipt |
| Resubmitted                                    |         |
| Reloc Sent                                     |         |
| Reloc Rec'd                                    |         |
| <input type="checkbox"/> Applicant Interviewed |         |
| Remarks/Action                                 |         |

**To Be Completed by Attorney or Representative, if any.**

- ☐
- Fill in box if G-28 is attached to represent the applicant

VOLAG#

ATTY State License

**Part 3. Information about your husband or wife.**

|   |                            |  |  |
|---|----------------------------|--|--|
| Family Name   | Given                      | Middle Initial   | Gender <input type="checkbox"/> Male <input type="checkbox"/> Female |
| List all other names used (i.e. maiden name, aliases) |                            | Date of Birth  | Date of Marriage   |
| A #   | Current Immigration Status | Is your current immigration status based on the current status? <input type="checkbox"/> Yes <input type="checkbox"/> No |  |

**Part 4. Children.** (List all your children. Attach another sheet if necessary.)

|   |                            |
|---|----------------------------|
| Name  | Date of (Mo/Day/Yr)        |
| A #   | Current Immigration Status |
| Living with you? <input type="checkbox"/> Yes <input type="checkbox"/> No |                            |

**Part 4. Children. (Continued)**

|      |                     |  |
|------|---------------------|--|
| Name |                     | Date of Birth  |
| A #  | Current Immigration | Living with you?<br><input type="checkbox"/> Yes <input type="checkbox"/> No |

**Part 5. Information about your commercial enterprise.**

Type of Enterprise (Check one):

- ☐ New commercial enterprise resulting from the creation of a new business.  
☐ New commercial enterprise resulting from the reorganization of an existing business.  
☐ New commercial enterprise resulting from a capital investment in an existing business.

Kind of Business (Be as specific as possible.)

|                                       |                              |  |                         |
|---------------------------------------|------------------------------|--|-------------------------|
| Date Business Established (Mo/Day/Yr) | Amount of Initial Investment | Date of Initial Investment (Mo/Day/Yr) | % of Enterprise You Own |
|---------------------------------------|------------------------------|--|-------------------------|

List number of full-time employees in enterprise in U.S. (excluding you, spouse, sons and daughters):

At the time of your initial investment \_\_\_\_\_ Presently \_\_\_\_\_ Difference \_\_\_\_\_

How many of these new jobs were created by your investment? \_\_\_\_\_

Subsequent Investment in the Enterprise

| Date of Investment | Amount of Investment | Type of Investment |
|--------------------|----------------------|--------------------|
|                    |                      |                    |
|                    |                      |                    |
|                    |                      |                    |

Please provide the gross and net income generated annually by the commercial enterprise since your initial investment. Include all income generated up to date during the present year.

| Year | Gross Income | Net Income |
|------|--------------|------------|
|      |              |            |
|      |              |            |
|      |              |            |

Has your commercial enterprise filed for bankruptcy, ceased business operations, or have any changes in its business organization occurred since the date of your initial investment? ☐ Yes (Explain on separate sheet) ☐ NoHas your commercial enterprise sold any corporate assets, shares, property, or had any capital withdrawn since the date of your initial investment? ☐ Yes (Explain on separate sheet) ☐ No**Part 6. Signature. (Read the information on penalties in the instructions before completing this section.)**

I certify, under penalty of perjury under the laws of the United States of America, that this petition and the evidence submitted with it is all true and correct. I further certify that the investment was made in accordance with the laws of the United States and was not for the purpose of evading United States immigration laws. I also authorize the release of any information from my records which the Immigration and Naturalization Service needs to determine eligibility for the benefit being sought.

|                        |            |      |
|------------------------|------------|------|
| Signature of Applicant | Print Name | Date |
|------------------------|------------|------|

**Please note:** If you do not completely fill out this form, or fail to submit any required documents listed in the instructions, you cannot be found eligible for the requested benefit, and this petition may be denied.

**Part 6. Signature of person preparing form, if other than above.**

I declare that I prepared this petition at the request of the above person and it is based on all information of which I have knowledge.

|           |            |      |
|-----------|------------|------|
| Signature | Print Name | Date |
|-----------|------------|------|

Firm Name  
and Address